

Notice of Allowability

Application No.

10/004,120

Examiner

Joseph E. Avellino

Applicant(s)

WOLFF ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated April 19, 2006.
2. ☒ The allowed claim(s) is/are 1-9, 11, 12, 16-24, 26, 27, 31-39, 41, 42, 46, 48, 49 and 51.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 2/21/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin Zikla on May 4, 2006.

The application has been amended as follows:

Cancel claims 47 and 50.

Information Disclosure Statement

2. The IDS dated February 21, 2006 has been considered by the Office. See enclosed PTO-1449.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance: The prior art of record does not provide for, nor suggests providing for a load balancing device which receives access requests from clients, applies a predetermined load balancing routine to determine which proxy device to route the request to, which then performs malware scanning, and then accesses a cache which stores only those files which have been determined not to be considered as malware. The proxy device determines predetermined attributes, such as user name, domain, password, an indication of the file to be accessed, a TCP/IP address of the client machine, amongst other items which can appropriately differentiate the access requests, and at the bare minimum require the indication of the file to be accessed, and the user name. These predetermined attributes will be reused by the proxy device during the processing of the access request, and therefore will be stored in a user cache of user attributes. The file cache only stores files which have already been determined not to be considered malware, which caches files which have already been scanned by the processing logic. The closest prior art of record is the rejection under Asai in view of Hailpern in view of Garantges, as shown in the action dated January 20, 2006. However, Garantges shows that the proxy server sends the digital certificate through the firewall to the gateway to be authenticated. The claimed invention shows that the predetermined attributes are sent to the file storage device to enable the device to perform a validation check as claimed. The X.509 certificate of Garantges is used on the authorization server, and not on the file storage servers. One of ordinary skill in the art would not find

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it obvious to have the authorization server as the claimed file server, since the authorization server controls the application gateway to allow access to the web server applications. For these reasons, in conjunction with the other limitations of the independent claims, puts this case in condition for allowance.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JEA
May 5, 2006



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